

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1142 OF 2024

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Pratiksha Suryakant Chavan

...Applicant

versus

The State of Maharashtra

.... Respondent

Mr. Sameer Pradhan for the Applicant.

Mr. Nitin B. Patil, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 26th APRIL, 2024

PC. :

1. The Applicant is seeking anticipatory bail in connection with C.R. No.54 of 2024 registered with Nerul Police Station, Mumbai on 7th February 2024 under Sections 323, 382, 427, 527, 504, 506 read with 34 of the IPC.
2. Heard, Mr. Sameer Pradhan for the Applicant and Mr. Nitin Patil, learned APP for the State.
3. FIR is lodged by Prajakta Belwalkar. She was residing with her husband and family. The informant's parents and present

Applicant who was her younger sister were residing at a different place in Nerul. On 5th February 2024, the Applicant put her clothes and ornaments in her bag and was about to leave the house. The Applicant's parents questioned her. She refused to answer them. They tried to stop her but she called the police. Therefore, everybody went to the Police Station. The Applicant's elder sister and her husband also went there. The Police informed all of them that the Applicant was an adult and was free to go wherever she wanted to go. In the evening, at 5.30 pm., the informant went to her parents' house, at that time, the elder sister Pratibha and her husband were also present. At about 7.00 p.m. Applicant came there and started searching for her mobile phone. She was angry, she abused the informant and Pratibha. She assaulted her own mother with a stick. There was some fight between them. The Applicant took the amount of more than Rs.1,00,000/- and some ornaments and went away. On this basis the FIR was lodged.

4. Learned counsel for the Applicant, submitted that the allegations are not true. The F.I.R. is lodged because the

Applicant's family was holding a grudge against her as she had married a person of a different religion without their consent. He submitted that, initially, all the family members had gone to the Police Station and after the Police pacified all of them, this incident subsequently alleged to have occurred in the evening. That itself is unbelievable.

5. Learned APP opposed this submission and produced the investigating papers. He submitted that more than Rs.1,00,000/- was taken away. The ornaments were also taken away by the Applicant. Her custodial interrogation is necessary.
6. I have considered these submissions. There are statements of the Applicant's mother Suvarna Chavan and her sister Pratibha supporting the FIR. However, it appears to be a dispute between the family members of the Applicant and her. The FIR is the result of such dispute. There is possibility of false implication because of the grudge. In any case, the Applicant is a lady. The first informant is her own sister. Considering the overall situation, the Applicant's interrogation in this case is not necessary. She can be protected under Section 438 of the Cr. Pc.

7. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with C.R.No. 54 of 2024 registered at Nerul Police Station, the Applicant is directed to be released on bail on her executing PR bond in the sum of Rs.30,000/- (Rs.Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall co-operate with the investigation.
- (iii) The Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)